

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

|                              |   |                                   |
|------------------------------|---|-----------------------------------|
| <b>RYAN SIMKO,</b>           | ) | <b>CASE NO.1:07CV2497</b>         |
|                              | ) |                                   |
| <b>Plaintiff,</b>            | ) | <b>JUDGE CHRISTOPHER A. BOYKO</b> |
|                              | ) |                                   |
| <b>Vs.</b>                   | ) |                                   |
|                              | ) |                                   |
| <b>CMI TEREX CORPORATION</b> | ) | <b>ORDER</b>                      |
|                              | ) |                                   |
| <b>Defendant.</b>            | ) |                                   |

**CHRISTOPHER A. BOYKO, J:**

Pursuant to discussions held at the status conference of July 1, 2008, the Court Orders Plaintiff to submit his initial expert report on July 10, 2008. Defendant shall submit its expert report thirty days thereafter. Because Plaintiff's expert has not had the opportunity to inspect the paver, the Court will permit him to supplement his report within fourteen days after the inspection. The settlement conference set for August 13, 2008 at 2:00 PM will be converted to a telephone status conference. Parties shall be available by phone. Plaintiff's counsel shall initiate a conference call with opposing counsel and shall contact the Court at (216) 357-7151.

Finally, parties shall inform the Court if they encounter any problems in having their experts inspect the paving machine at issue.

IT IS SO ORDERED.

S/Christopher A. Boyko  
CHRISTOPHER A. BOYKO  
United States District Judge

July 1, 2008